FILED
Date 3-10-97
County Assessor

FILED
MAR 10 1997

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RECORDER
DELAWARE COUNTY, IOWA

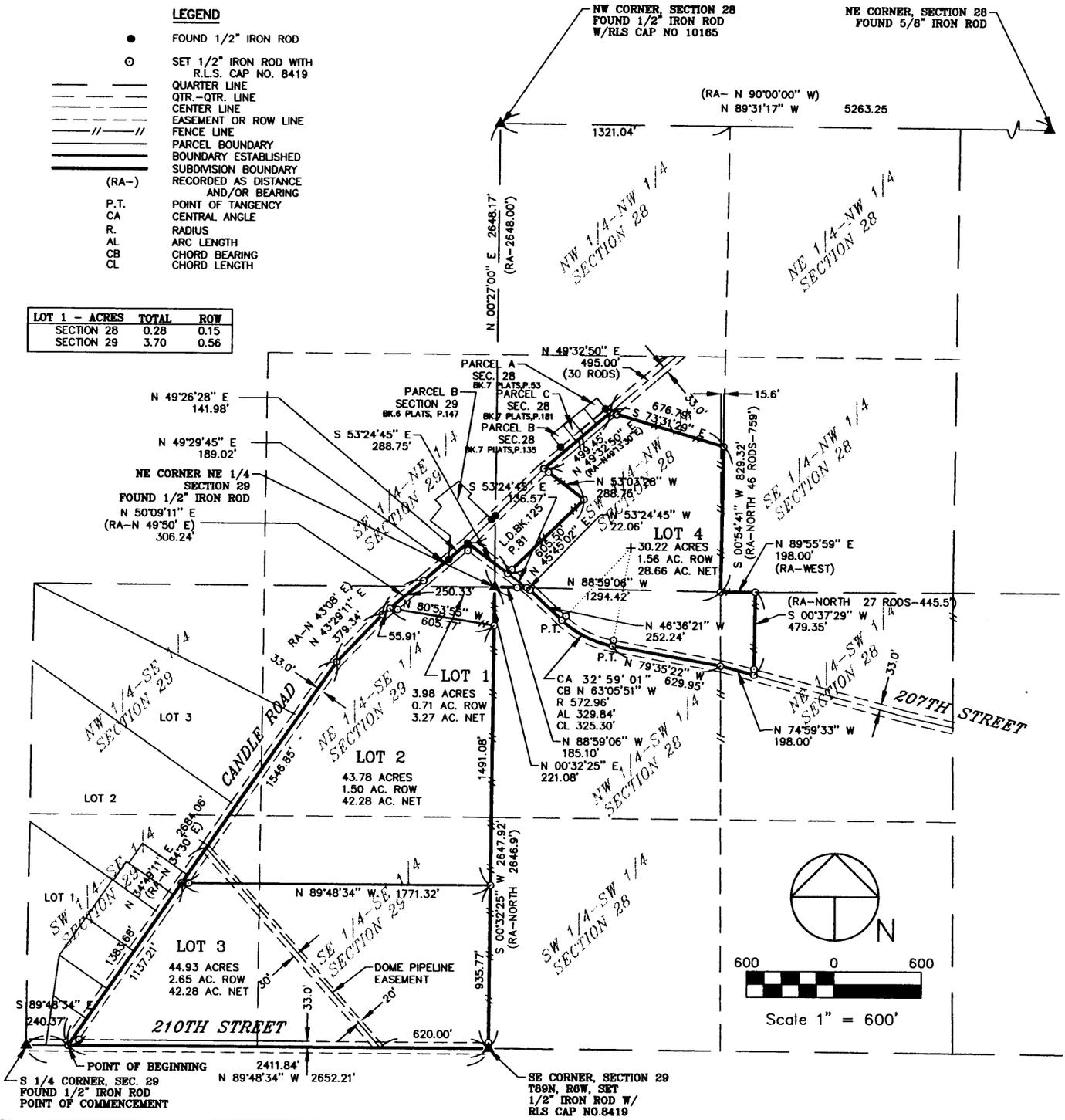
302-2657

PREPARED BY: J DAVID GIBBS; P.O. BOX 295 MANCHESTER, IA 52057 319-927-2234

PLAT OF SURVEY

HENDERSON FARMS

A SUBDIVISION OF PART OF THE E 1/2 OF SECTION 29, AND PART OF THE W 1/2 OF SECTION 28, ALL OF T89N, R6W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA



SURVEYED ON: 10/31,11/5&6/96
FIELD BK NO. D.L.

PROPRIETORS: DONALD J. HENDERSON, MARLENE J. NOGGLE, CHERYL C. RIES, WAYNE M. HENDERSON & ARLAN J. HENDERSON

PROJECT NO. 96-41

I HEREBY CERTIFY THAT THIS MAP, PLAT OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION, AND THAT I AM A DULY REGISTERED ENGINEER AND LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

J. DAVID GIBBS, P.E., RLS. REG. NO. 8419 DATE 11/21/96

MY REGISTRATION WILL BE RENEWED ON JANUARY 1, 1997

REGISTERED LAND SURVEYOR J. DAVID GIBBS 8419 IOWA

SCALE: 1"=600'
DATE: 11/6/96
DRAWN BY: JDG
CHECKED BY:
REVISED
SHEET 1 OF 6

GIBBS ENGINEERING & SURVEYING

PROFESSIONAL SERVICES BUILDING, SUITE 2
223 WEST MAIN STREET, MANCHESTER, IA 52057

B-15

DATE 3-10-97 BOOK 8 PAGE 36

LEGAL DESCRIPTION

***HENDERSON FARMS,* A SUBDIVISION OF PART OF THE EAST ONE HALF OF SECTION TWENTY-NINE (29) AND PART OF THE WEST ONE-HALF OF SECTION TWENTY-EIGHT, ALL OF TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE SIX WEST (R6W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA;** into four (4) lots numbered Lot One (1) through Lot Four (4), containing a total of 122.91 acres including 6.42 acres of public road right of way, subject to easements of record and more specifically described by metes and bounds as follows:

COMMENCING at the South Quarter (S ¼) Corner of Section Twenty-nine (29), Township Eighty-nine North (T89N), Range Six West (R6W) of the Fifth Principal Meridian, Delaware County, Iowa;

THENCE along the Southerly Line of the Southeast Quarter (SE ¼) of said Section South 89°-48'-34" East to the centerline of Candle Road (formerly Delhi and Independence State Road) 240.37 feet, the **POINT OF BEGINNING**;

THENCE along the centerline of Candle Road North 34°-49'-11" East 2684.06 feet;

THENCE continuing along the centerline of Candle Road North 43°-29'-11" East 379.34 feet;

THENCE continuing along the centerline of Candle Road North 50°-09'-11" East 306.24 feet;

THENCE continuing along the centerline of Candle Road North 49°-29'-45" East 189.02 feet;

THENCE continuing along the centerline of Candle Road North 49°-26'-28" East to the intersection with 207th Street (formerly Prairie Creek Road) 141.98 feet;

THENCE along the centerline of 207th Street South 53°-24'-45" East 288.75 feet;

THENCE North 45°-45'-02" East 605.50 feet;

THENCE North 53°-03'-28" West to the centerline of Candle Road 288.75 feet;

THENCE along the centerline of Candle Road North 49°-32'-50" East 499.45 feet;

THENCE South 73°-31'-29" East to the Easterly Line of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of Section Twenty-eight (28), Township Eighty-nine North (T89N), Range Six West (R6W) of the Fifth P.M., 676.79 feet;

THENCE along said Easterly Line South 00°-54'-41" West to the Southeast Corner of the Southwest (SW ¼) Quarter of said Northwest Quarter (NW ¼) 829.32 feet;

THENCE along the Northerly Line of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of said Section Twenty-eight (28) North 89°-55'-59" East 198.00 feet;

THENCE South 00°-37'-29" West to the centerline of 207th Street, 479.35 feet;

THENCE along said centerline North 74°-59'-33" West to the Easterly Line of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of said Section Twenty-eight (28) 198.00 feet;

THENCE continuing along said centerline North 79°-35'-22" West 629.95 feet to a Point of Tangency;

THENCE continuing along said centerline along a circular curve concave Northeasterly for an arc length of 329.84 feet, said circular curve having a radius of 572.96 feet, central angle of 32°-59'-01", a chord length of 325.30 feet and a chord bearing of North 63°-05'-51" West;

THENCE continuing along said centerline North 46°-36'-21" West 252.24 feet;

THENCE continuing along said centerline North 53°-24'-45" West to the Southerly Line of the Northwest Quarter (NW1/4) of said Section Twenty-eight (28), 22.06 feet;

THENCE along the Southerly Line of said Northwest Quarter (NW ¼) North 88°-59'-06" West to the Northeast Corner of the Southeast Quarter (SE ¼) of said Section Twenty-nine (29) 185.10 feet;

THENCE along the Easterly Line of said Southeast Quarter (SE ¼) South 00°-32'-25" West to the Southeast Corner of said Southeast Quarter (SE ¼), 2647.92 feet;

THENCE along the Southerly Line of said Southeast Quarter (SE ¼) North 89°-48'-34" West 2411.84 feet to the **POINT OF BEGINNING**;

CONTAINING a total of 122.91 acres including 6.42 acres of public road right of way and subject to easements of record.

The Easterly Line of the Northeast Quarter (NE ¼) of Section Twenty-nine (29) Township Eighty-nine North (T89N), Range Six West (R6W) of the Fifth Principal Meridian is assumed to bear North 00°-27'-00" East.

SURVEYOR'S CERTIFICATE

I hereby certify that this plat, map, survey, or report was prepared by me or under my direct personal supervision and that I am a duly Registered Land Surveyor under the laws of the State of Iowa.

I hereby certify that a minimum of two (2) control monuments have been found or placed and that all monuments indicated will be placed within one (1) year of the recording of the plat.

J. David Gibbs 11/21/96

J. David Gibbs, REG. NO. 8419 DATE
My Registration will be renewed on January 1, 1997



OWNER'S ACKNOWLEDGMENT

I(we) Marlene Noggle and _____ of Delaware County, State of Iowa, do hereby certify that the above survey, as shown by the attached Plat, is made with our free consent, and in accordance with our desire.

_____ Marlene J. Noggle

State of Iowa)
)
County of Delaware) Ss:

On this 27th day of December A.D. 1996, before me a Notary Public in and for said County, personally appeared Marlene Noggle and _____, to me known to be the person(s) named and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Kristi Kay Burreson
Notary Public in and for said County

KRISTI KAY BURRESON
MY COMMISSION EXPIRES
7-31-99

OWNER'S ACKNOWLEDGMENT

I(we) Wayne M. Henderson and _____ of Delaware County, State of Iowa, do hereby certify that the above survey, as shown by the attached Plat, is made with our free consent, and in accordance with our desire.

_____ Wayne M. Henderson

State of Iowa)
)
County of Delaware) Ss:

On this 29th day of Dec., A.D. 1996, before me a Notary Public in and for said County, personally appeared Wayne M Henderson, to me known to be the person(s) named and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

William D Werger
Notary Public in and for said County

WILLIAM D. WERGER
MY COMMISSION EXPIRES
10-6-98

OWNER'S ACKNOWLEDGMENT

I(we) Arlan J. Henderson and _____ of Delaware County, State of Iowa, do hereby certify that the above survey, as shown by the attached Plat, is made with our free consent, and in accordance with our desire.

_____ Arlan J. Henderson

State of Iowa)
)
County of Delaware) Ss:

On this 30th day of December A.D. 1996, before me a Notary Public in and for said County, personally appeared Arlan J. Henderson and _____, to me known to be the person(s) named and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Kristi Kay Burreson
Notary Public in and for said County

KRISTI KAY BURRESON
MY COMMISSION EXPIRES
7-31-99

OWNER'S ACKNOWLEDGMENT

I(we) Cheryl C. Ries and _____ of Delaware County, State of Iowa, do hereby certify that the above survey, as shown by the attached Plat, is made with our free consent, and in accordance with our desire.

_____

Cheryl C. Ries

State of Iowa)
)
County of Delaware) Ss:

On this 31st day of December A.D. 1996, before me a Notary Public in and for said County, personally appeared Cheryl C. Ries and _____, to me known to be the person(s) named and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Kristi Kay Burreson
Notary Public in and for said County

KRISTI KAY BURRESON
MY COMMISSION EXPIRES
7-31-99

OWNER'S ACKNOWLEDGMENT

I(we) Cheryl C. Ries and Arlan J. Henderson of Delaware County, State of Iowa, do hereby certify that the above survey, as shown by the attached Plat, is made with our free consent, and in accordance with our desire. as Executors of Donald J. Henderson Estate.

Cheryl C. Ries

Arlan J. Henderson

State of Iowa)
)
County of Delaware) Ss:

On this 5th day of March A.D. 1996, before me a Notary Public in and for said County, personally appeared Cheryl C. Ries and Arlan J. Henderson, to me known to be the person(s) named and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed. on behalf of Donald J. Henderson Estate.

Notary Public in and for said County

WILLIAM D. WERGER
MY COMMISSION EXPIRES
10-6-98

CONSENT OF LIENHOLDER

First State Bank, Manchester, Iowa, does hereby certify that the above survey, as shown by the attached Plat, is made with its free consent.

First State Bank

By: _____
Joseph Wiewel, President & Chairman of the Board

FIRST STATE BANK
CORPORATE SEAL
MANCHESTER, IOWA

STATE OF IOWA, DELAWARE COUNTY, ss:

On this 28th day of February, 1997, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Joseph Wiewel to me personally known, who being by me duly sworn, did say that he is the President & Chairman of the Board respectively, of the corporation executing the within and foregoing instrument to which this is attached, that the seal affixed thereto is the seal of the corporation; that said instrument was signed (and sealed) on behalf of the corporation by authority of its Board of Directors; and that Joseph Wiewel as officer acknowledged the executive of the foregoing instrument to be the voluntary act and deed of the corporation, by it and by him voluntarily executed.

Notary Public in and for said County

WILLIAM D. WERGER
MY COMMISSION EXPIRES
10-6-98

ATTORNEY'S OPINION

I, William D. Werger, a practicing attorney at law in Manchester, Delaware County, Iowa, have examined the abstract of title to the land included in ***HENDERSON FARMS***, Delaware County, Iowa, on premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated November 21, 1996.

Said abstract has been prepared in its entirety by the Delaware County Abstract Company, Inc., and was last certified to by said company on the 21st day of February, A.D., 1997, at the hour of 8:00 o'clock A.M.

My examination of said abstract shows good and merchantible title on the date and hour of the certification to be in Donald J. Henderson Estate; Marlene J. Noggle, Cheryl C. Ries Wayne M. Henderson; Arlan J. Henderson

Dated at Manchester, Iowa, in said County, this 27th day of February, 1997.

William D. Werger Attorney at Law

CERTIFICATE OF TREASURER

I, the undersigned, Carolyn A. Wilson, Treasurer of Delaware County, Iowa, do hereby certify that all taxes and special assessments against D.J. or Donald Henderson Delaware County, Iowa, have been paid and said real estate is free and clear of all taxes as of this date.

TREASURER SEAL

County Treasurer
Carolyn A. Wilson

DELAWARE COUNTY E-911 BOARD

Delaware County, Iowa

November 21, 1996

The foregoing plat of ***Henderson Farms***, Delaware County, Iowa has been examined and approved as to being in full compliance with Delaware County Ordinance #12, The Uniform Rural Address System, as passed and adopted by the Delaware County Board of Supervisors on the 8th day June, 1996.

Norman Wellman - Coordinator
Delaware County E-911 Board

State of Iowa)
)
County of Delaware) Ss:

On this 21 day of November, 1996, before me Sharon McCrabb, a Notary Public in and for the State of Iowa, personally appeared Norman Wellman, to me personally known, and, who, being me duly sworn, did say that he is the Coordinator for the Delaware County E-911 Board.

Notary Public Sharon McCrabb

SHARON McCRABB NOTARIAL SEAL